

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
May 5, 1982

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, May 5, 1982 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmembers - Murphy, Olson,  
Pinkerton, Snider  
and Reid (Mayor)

Absent: Councilmembers: None

Also Present: City Manager Glaves, Assistant  
City Manager Glenn, Community  
Development Director Schroeder,  
Public Works Director Ronsko,  
City Attorney Stein, and City Clerk  
Reimche

INVOCATION            The invocation was given by Reverend Harvey Klapstein,  
Bethel Open Bible Church

PLEDGE                    The Pledge of Allegiance to the flag was led by Mayor  
Reid

PRESENTATIONS Mayor Reid made the following proclamations:

- a) National School Guidance Week
- b) Ashley Lynne Snider Day (Brand new daughter of Councilman Snider)
- c) Proclamation commending Leo R. Baltzer for outstanding service to the City of Lodi

PUBLIC HEARINGS	Notice thereof having been published in accordance with law and affidavit of publication being on file in the Office
LOCKEFORD	of the City Clerk, Mayor Reid called for the Public
STREET IMPROVE-	Hearing to consider the Lockeford Street Improvement
MENT PROJECT,	Project, Ham Lane to California Street, Lodi, California.
HAM LANE TO	
CALIFORNIA	The matter was introduced by Public Works Director
STREET	Ronsko who presented diagrams of the subject area.

RES. NO. 82-40      Mr. Ronsko and Associate Civil Engineer Richard Prima detailed various alternates, talked about City standards, traffic, parking and responded to questions as were posed by the Council.

The following persons addressed the Council regarding the matter:

- a) Frieda Hieb, 1021 W. Lockeford Street, Lodi.
- b) Jacob Hoffer, 715 W. Lockeford Street, Lodi.
- c) Glen R. Jones, 230 N. Fairmont Street, Lodi.
- d) Antonio Blecic, 618 W. Lockeford Street, Lodi.
- e) Lynnell Hadley, 705 Howard Street, Lodi.
- f) Reuben Knecht, 1015 W. Lockeford Street, Lodi.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

A lengthy discussion followed with questions being directed

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On motion of Council Member Snider, Olson second, Council adopted Resolution No. 82-40 rescinding the removal of parking on the north side of Lockeford Street, and adopting Alternate 2 as outlined by Staff, with the modifications shown on Alternate 5 in the area of California Street.

GENERAL PLAN  
LAND USE ELEMENT  
AMENDMENT NO.  
GPA-LU-82-1

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor Reid called for the Public Hearing to consider the recommended approval of General Plan - Land Use Element Amendment No. GPA-LU-82-1 consisting of the following sections:

Section 1 - Request of Luis Arismendi on behalf of Grupe Communities to redesignate a portion of 1600 West Kettleman Lane from Low Density Residential to Office-Institutional.

Section 2 - Request of Paul Hausler and Sara A. Hausler, et al to redesignate the parcels at 428, 440, 448, 452, 458 and 464 Almond Drive from Low Density Residential to Medium Density Residential.

Section 3 - Request of Al Haro to redesignate the parcel at 301 North Pleasant Avenue from Medium Density Residential to Commercial.

Section 4 - Action initiated by the Planning Commission to redesignate 105 East Turner Road (i.e. Scenic Overlook Property) from Recreational to Low-Density Residential.

Section 1 of General Plan Land Use Element Amendment No. GPA-LU-82-1 heretofore set forth was considered simultaneously with consideration of the recommended approval of the request of Luis Arismendi on behalf of the Grupe Communities to amend P-D(21), Planned Development District No. 21, by eliminating Single-Family Development and permitting professional offices and condominiums at 1600 West Kettleman Lane and 1500 through 1524 Lakeshore Drive, and the certification of the filing of Negative Declaration ND-82-3 by the Community Development Director.

The matter was introduced by Community Development Director Schroeder, who presented a detailed presentation regarding the matter and presented diagrams of the subject area.

Speaking on behalf of the matter was Mr. Luis Arismendi of Grupe Communities, 2291 West March Lane, Stockton, California. Mr. Arismendi presented renderings for Council's perusal.

Mrs. Barbara Kern, 448 Almond Drive, Lodi addressed the Council posing questions regarding density in the subject area.

There being no other persons wishing to speak on the matter, the public portion of the hearing was closed.

Following discussion, with findings hereinafter set forth, Council took the following actions:

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On motion of Councilman Pinkerton, Murphy second, Council certified the filing of the Negative Declaration ND-82-3 - Grupe/Lakeshore Village General Plan Amendment (No. 2) by the Community Development Director.

On motion of Councilman Pinkerton, Murphy second, Council approved Section 1 of General Plan Land Use Element Amendment No. GPA-LU-82-1, heretofore set forth.

Councilman Pinkerton then moved for introduction of Ordinance No. 1258 amending P-D(21), Planned Development and permitting professional offices and condominiums at 1600 West Kettleman Lane and 1500 through 1524 Lakeshore Drive. The motion was seconded by Mayor Pro Tempore Murphy and carried by unanimous vote.

Section 2 of General Plan Land Use Element Amendment No. GPA-LU-82-1 heretofore set forth was considered simultaneously with consideration of the recommended approval of the request of Paul Hausler and Sara A. Hausler, et al to rezone the parcels at 428, 440, 448, 452, 458, and 464 Almond Drive from Low Density Residential to Medium Density Residential, and the certification of the filing of Negative Declaration ND-82-4 by the Community Development Director.

The matter was introduced by Community Development Director Schroeder, who presented a detailed presentation regarding the matter and presented diagrams of the subject area.

Speaking on behalf of the matter was Paul Hausler, 464 Almond Drive, Lodi.

Speaking in opposition to the matter was Mrs. Barbara Kern, 448 Almond Drive, Lodi.

There being no other persons wishing to speaking on the matter, the public portion of the hearing was closed.

Following discussion, with findings hereinafter set forth, Council took the following actions:

On motion of Council Member Olson, Reid second, Council certified the filing of the Negative Declaration ND-82-4 Hausler/Almond Terrace Rezoning and General Plan Amendment by the Community Development Director.

On motion of Council Member Olson, Murphy second, Council approved Section 2 of General Plan Land Use Element Amendment No. GPA-LU-82-1, heretofore set forth.

Council Member Olson then moved for introduction of Ordinance No. 1259 rezoning the parcels at 428, 440, 448, 452, 458, and 464 Almond Drive, Lodi, from Low Density Residential to Medium Density Residential. The motion was seconded by Mayor Reid and carried by unanimous vote.

RECESS

Mayor Reid declared a five-minute recess and the Council reconvened at approximately 10:20 p.m.

PUBLIC HEARINGS  
CONTINUED  
GENERAL PLAN  
LAND USE ELEMENT  
NO. GPA-LU-82-1

Section 3 of General Plan Land Use Element Amendment No. GPA-LU-82-1 heretofore set forth, was considered simultaneously with consideration of the recommended approval of the request of Al Haro to rezone the parcel at 301 North Pleasant Avenue, Lodi, from R-C-P, Residential-Commercial Professional, to C-2, General, Commercial and the

Continued May 5, 1982

ND-82-6 by the Community Development Director.

The matter was introduced by Community Development Director Schroeder, who presented a detailed presentation regarding the matter, and presented diagrams of the subject area.

There were no persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

FOLLOWING DISCUSSION, WITH FINDINGS HEREINAFTER SET FORTH, COUNCIL TOOK THE FOLLOWING ACTIONS:

On motion of Mayor Pro Tempore Murphy, Olson second, Council certified the filing of the Negative Declaration ND-82-6 - Haro General Plan Amendment by the Community Development Director.

On motion of Councilman Pinkerton, Olson second, Council approved Section 3 of General Plan Land Use Element Amendment No. GPA-LU-82-1, heretofore set forth.

Councilman Pinkerton then moved for introduction of Ordinance No. 1260 rezoning the parcel at 301 North Pleasant Avenue from R-C-P, Residential-Commercial-Professional, to C-2, General Commercial. The motion was seconded by Mayor Pro Tempore Murphy and carried by unanimous vote.

Section 4 of General Plan Land Use Element Amendment No. GPA-LU-82-1 heretofore set forth, was considered simultaneously with consideration of the recommendation that the parcel at 105 East Turner Road (i.e. Scenic Overlook Property) be rezoned from F-P, Floodplain, to R-1, Single Family Residential and the certification of the filing of Negative Declaration ND-82-7 by the Community Development Director.

The matter was introduced by Community Development Director Schroeder, who presented a detailed report regarding the matter, and presented diagrams of the subject area.

There were no persons wishing to speak on the matter, and the public portion of the hearing was closed.

FOLLOWING DISCUSSION, WITH FINDINGS HEREINAFTER SET FORTH, COUNCIL TOOK THE FOLLOWING ACTIONS:

On motion of Councilman Pinkerton, Murphy second, Council certified the filing of the Negative Declaration ND-82-7 - Scenic Overlook/Redesignate from Flood Plain to Low Density Residential.

On motion of Council member Olson, Murphy second, Council approved Section 4 of General Plan Land Use Element Amendment No. GPA-LU-82-1, heretofore set forth.

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Councilman Pinkerton then moved for introduction of Ordinance No. 1261 - rezoning the parcel at 105 East Turner Road (i.e. Scenic Overlook Property) from F-P, Floodplain, to R-1, Single-Family Residential. The motion was seconded by Mayor Pro Tempore Murphy and carried by unanimous vote.

Councilman Pinkerton then moved for introduction of Ordinance No. 1257 - General Plan Land Use Element Amendment No. GPA-LU-82-1, including all four sections with findings hereinafter set forth. The motion was seconded by Mayor Pro Tempore Murphy and carried by unanimous vote. Ordinance No. 1257 is hereby set forth in its entirety.

ORDINANCE NO.  
1257, 1258, 1259,  
1260, and 1261  
INTRODUCED  
CC-149  
CC-35(a)

Findings to be established by Lodi City  
Council on General Plan - Land Use  
Element Amendment No. GPA-LU-82-1

1. Negative Declarations filed by Community Development Director on all sections are in order.
2. All proposed sections of the General Plan Amendment are in the public's interest.
3. 1600 West Kettleman Lane (Grupe Communities) - There is a need for additional condominium property (higher density and office area) in the Lodi area, and subject lends itself to these land uses.
4. 428, 440, 448, 452, 458 and 464 Almond Avenue (Hausler) - Property along Almond Drive is adjacent to other multi-family residential designation and therefore this would lend itself to that designation.
5. 301 North Pleasant Avenue (Haro) - This property is adjacent to already existing commercial property, and this change would therefore be made to make this property consistent with other surrounding property.
6. 105 E. Turner Road (i.e. Scenic Overlook Property) - This property is no longer in the Flood Plain, and it would be reasonable to redesignate this property to Low-Density Residential.

An Ordinance amending the land use element of the General Plan of the City of Lodi by a) redesignating a portion of 1600 West Kettleman Lane, Lodi, from Low-Density Residential to Office-Institutional b) redesignating the parcels at 428, 440, 448, 452, 458 and 464 Almond Drive, Lodi, from Low-Density Residential to Medium-Density Residential c) Redesignating the parcel at 301 North Pleasant Avenue, Lodi, from Medium-Density Residential to Commercial; and redesignating 105 E. Turner Road, Lodi, (i.e. Scenic Overlook Property) from Recreational to Low-Density Residential.

The City Council of the City of Lodi does ordain as follows:

Section 1. - The Land Use Element of the General Plan of the City of Lodi is hereby amended by a) redesignating a portion of 1600 West Kettleman Lane.

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Lodi, from Low-Density Residential to Office-Institutional  
 b) redesignating the parcels at 428, 440, 448, 452, 458 and  
 464 Almond Drive, Lodi, from Low-Density Residential  
 to Medium-Density Residential c) redesignating the  
 parcel at 301 North Pleasant Avenue, Lodi, from Medium-  
 Density Residential to Commercial; and redesignating  
 105 East Turner Road, Lodi, (i. e. Scenic Overlook  
 Property) from Recreational to Low-Density Residential.

Section 2. - All ordinances and parts of ordinances in  
 conflict herewith are repealed insofar as such conflict  
 may exist.

Section 3. - This ordinance shall be published one  
 time in the "Lodi Life and Times", a twice weekly news-  
 paper of general circulation printed and published in the  
 City of Lodi and shall be in force and take effect thirty  
 days from and after its passage and approval.

Approved this 19th day of May, 1982

Name \_\_\_\_\_  
 Mayor

Attest:

ALICE M. REIMCHE  
 City Clerk

State of California  
 County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi,  
 do hereby certify that Ordinance No. 1257 was introduced  
 at a regular meeting of the City Council of the City  
 of Lodi held May 5, 1982 and was thereafter passed,  
 adopted and ordered to print at a regular meeting of  
 said Council held May 19, 1982 by the following vote:

Ayes: Council member - Olson, Snider, Pinkerton,  
 Murphy and Reid

Noes: Council member - None

Absent: Council member - None

Abstain: Council member - None

I further certify that Ordinance No. 1257 was approved  
 and signed by the Mayor on the date of its passage and  
 the same has been published pursuant to law.

ALICE M. REIMCHE  
 City Clerk

Approved as to form

RONALD M. STEIN  
 City Attorney

Continued May 5, 1982

PLANNING COMMISSION

City Manager Graves gave the following report on the Planning Commission meeting of April 26, 1982:

The Planning Commission -

ITEMS OF INTEREST

1. Conditionally approved the request of G & H Leisure Enterprises for a Tentative Parcel Map to divide the lot at 841 East Kettleman Lane (APN 049-070-27) into two parts with Parcel 1 containing 0.562 Acres and Parcel 2 - 0.723 acres in an area zoned C-2, General Commercial.

The Planning Commission certified the filing of a Negative Declaration as adequate Environmental Documentation for this project.

2. Conditionally approved the request of Pizza Time Theatre, Inc. for a Use Permit for video and arcade games and kiddie rides in conjunction with a pizza restaurant at 550 South Cherokee Lane in an area zoned C-2, General Commercial.

3. Conditionally approved the request of Albino Paz for a Use Permit to convert a portion of the banquet room into a card room at Los Compadres Restaurant at 110 North Cherokee Lane in an area zoned C-2, General Commercial.

4. Determined that a solar collection rack, which is partially constructed in the rear yard at 9 Mulberry Court, constitutes a structure under the definition of the Zoning Ordinance and it must be relocated so as to maintain a maximum of 30 percent coverage of the required 10-foot rear yard.

COMMUNICATIONS  
(City Clerk)

City Clerk Reimche presented a letter which had been received from C. T. Babers, General Manager, Southern Pacific Transportation Company in response to a complaint regarding excessive whistle blowing by locomotive engineers which read in part as follows:

COMPLAINT RE  
EXCESSIVE WHISTLE  
BLOWING BY LOCO-  
MOTIVE ENGINEERS

"We do not condone excessive blowing of the train whistle, but the locomotive engineer is required by rules and court decisions to sound a warning as the train approaches a grade crossing regardless of the type of crossing protection that exists. This signal is to be commenced sufficiently in advance to afford ample warning, but not less than one-quarter mile before reaching the crossing. Additionally, it is necessary to use the train whistle as a means of communications in train operations and for standard safety procedures.

Since the operation of trains in your area is under the jurisdiction of Mr. K. A. Moore, Sacramento Division Superintendent, a copy of your letter is being passed to him with request that he take necessary precautions against excessive and unnecessary whistling in this territory."

City Clerk Reimche was directed to forward a copy of this letter to Mr. Lawrence Wilson, who initiated the subject complaint.

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ABC LICENSE  
APPLICATIONS

City Clerk Reimche presented the following applications for Alcoholic Beverage Licenses which had been received:

- a) David A. and Joanne G. Hildenbrand, Hildenbrand's A.M. /P.M. Mini Mart, 225 S. Cherokee Lane, Lodi Off Sale Beer and Wine.
- b) Pizza Time Theatre, Inc., 550 S. Cherokee Lane, Suite E, Lodi, On-sale beer and wine eating place.
- c) Porfis Mexican Food, Inc., 910 S. Cherokee Lane, Lodi - On Sale General Eating Place.

APPEAL RE SOLAR  
PANEL SUPPORT

City Clerk Reimche presented a letter which had been received from Dennis E. Lewis, 9 Mulberry Court, Lodi, appealing the Planning Commissions' determination that the Solar Panel Support partially constructed in his rear yard at 9 Mulberry Court constitutes a structure.

On motion of Councilman Pinkerton, Murphy second, Council set the aforementioned appeal for Public Hearing on May 19, 1982 at 8:00 p.m.

COMMENTS BY  
CITY COUNCIL  
MEMBERS

City Clerk Reimche presented a letter which had been received from various residents in the 700, 800, and 900 block of Loma Drive indicating their concern about the way young people are racing up and down Loma Drive going to Lodi Lake. The letter further stated that they don't think cars should be allowed to drive into the Lake area.

GATE ADMISSIONS  
FOR VEHICLES  
ESTABLISHED AT  
LODI LAKE PARK

RES. NO. 82-41

A very lengthy discussion followed regarding the problems being encountered in the area of Lodi Lake. On motion of Mayor Pro Tempore Murphy, Pinkerton second, Council adopted Resolution No. 82-41 directing that a gate admission of \$1.00 be established at Lodi Lake Park effective May 10, 1982 commencing at 12 noon, Monday through Friday and all day Saturday and Sunday.

REPORTS OF THE CITY  
MANAGER

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Councilman Pinkerton, Murphy second, were approved by the Council.

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CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$669,906.74.

AWARD CONTRACT FOR  
ASPHALT REJUVENATING  
AGENT

City Manager Graves presented the following bids which had been received to supply 5,000 gallons of asphalt rejuvenating agent.

RES. NO. 82-42

Reed & Graham, Inc.	5,000	\$5,247.00
Western Asphalt Service	5,000	6,466.00
Sheldon Oil Company	5,000	6,837.00

On recommendation of the City Manager, Council adopted the following resolution:



Continued May 5, 1982

## RESOLUTION NO. 82-42

RESOLUTION AWARDED THE CONTRACT TO SUPPLY  
5,000 GALLONS OF ASPHALT REJUVENATING AGENT  
TO REED AND GRAHAM, INC., THE LOW BIDDER  
IN THE AMOUNT OF \$5,247.00.

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A draft resolution adopting the San Joaquin County  
1982 Air Quality Management Plan was presented  
for Council's consideration.

S. J. CO. AIR QUALITY  
MANAGEMENT PLAN  
ADOPTED

A lengthy discussion followed with questions being  
directed to Staff.

RES. NO. 82-43

On motion of Councilman Pinkerton, Murphy second,  
Council adopted Resolution No. 82-43 thereby adopting  
the San Joaquin County 1982 Air Quality Management  
Plan, with the exception of the section dealing with  
Pesticides.

CONTRACT FOR  
MAINTENANCE OF  
LODI MUNICIPAL  
COURT BUILDING  
APPROVED

Following introduction of the matter by Staff, Council  
on motion of Mayor Pro Tempore Murphy, Olson  
second, adopted Resolution No. 82-44 approving  
the modification of Agreement  
with the County of San Joaquin for the operation of  
the Lodi Public Safety/Court Building, and authorizing  
the Mayor and City Clerk to execute the Agreement  
on behalf of the City.

RES. NO. 82-44

APPOINTMENTS TO  
VARIOUS BOARDS  
AND COMMISSIONS

Mayor Reid, with the concurrence of the City  
Council, on motion of Councilman Pinkerton, Murphy  
second, appointed Darrel Johnson as Lodi's  
representative to the San Joaquin County Crime  
Awareness Prevention Commission.

Mayor Reid, with the concurrence of the Council,  
following discussion, on motion of Councilman  
Pinkerton, Murphy second, made the following  
appointments to various Boards and Commissions:

## COUNTY COUNCIL OF GOVERNMENTS

Executive Board	Principal	Alternate
	James Pinkerton	Evelyn Olson

Transportation Policy Committee	Robert Murphy	Fred Reid
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## SOLID WASTE MANAGEMENT BOARD

John (Randy) Snider James Pinkerton

## NORTHERN CALIFORNIA POWER AGENCY

Fred Reid	Robert Murphy Henry Graves
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Continued May 5, 1982

Mayor Reid, with the concurrence of the City Council, on motion of Mayor Pro Tempore Murphy, Olson second, appointed the following persons to the City of Lodi Arts Commission.

Kathy Terra, D. Juan Gonzales, Mel Brenner, Sara Heberle, Nancy Carey, Kathleen Gonzales, Phawnda Cochran, Bill Chapman, Richard P. Corey, Gwinnett H. Mitchell, Laura R. Wild, Suse Chacon, Gay Stewart, Eileen Chaffee, Carol Marvel.

Mayor Reid, with the concurrence of the City Council, on motion of Councilman Pinkerton, Murphy second, named Mrs. Gwinnett H. Mitchell as Chairman of the City of Lodi Arts Commission.

Mayor Reid apprised the Council that the City of Lodi would not have a representative on the Local Agency Formation Commission this year.

COUNCIL SUPPORTS  
SB500 (BEVERLY)

RES. NO. 82-45

CC 30

City Attorney Stein gave a detailed report on SB 500 (Beverly) which deals with the subject of joint and several liability. Mr. Stein asked for Council's support on this piece of legislation. Following discussion, with questions being directed to the City Attorney, Council, on motion of Councilman Pinkerton, Murphy second, adopted Resolution No. 82-45 supporting SB500 (Beverly).

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at approximately 11:15 p.m.

Attest:

*Alice M. Reimche*  
ALICE M. REIMCHE  
City Clerk